

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

ABRAHAM LEON GOLDFARB §
§
v. § **CIVIL NO. 6:17-CV-640-RWS-KNM**
ELITE SERVICE RECOVERY & §
TOWING, LLC and DENNIS WAYNE §
BAGGETT §

**ORDER ADOPTING REPORT AND RECOMMENDATION
OF UNITED STATES MAGISTRATE JUDGE**

The Report and Recommendation of the Magistrate Judge (Docket No. 39, the “Report”), which contains her findings, conclusions, and recommendations regarding Defendant Elite Service Recovery & Towing, LLC’s 12(b)(6) Motion to Dismiss Plaintiff’s First Amended Complaint (Docket No. 15), has been presented for consideration. The Report, filed on August 17, 2018, recommends granting-in-part Defendant’s Motion to Dismiss. Specifically, the Report recommends dismissing Plaintiff’s negligent hiring, retention, training, supervision, and entrustment claims, with leave to replead those claims. No written objections have been filed. The Court therefore **ADOPTS** the findings and conclusions of the Magistrate Judge as those of the Court.

In light of the foregoing, it is

ORDERED that Plaintiff’s negligent hiring, retention, training, supervision, and entrustment claims are **DISMISSED**, with leave to replead those claims.

SIGNED this 31st day of October, 2018.

Robert W. Schroeder III
ROBERT W. SCHROEDER III
UNITED STATES DISTRICT JUDGE